IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION No.23854 of 1995

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Date: 14.02.2007

Between:

RCC (Sales) Pvt Ltd, Plot Noo.2&2B
IDA, Phase IV, Jeedimetla, Hyderabad
Rep. By its Director and two others

..... PETITIONERS

AND

1. State of Andhra Pradesh,
   Rep. By its Principal Secretary,
   Labour, Employment, Training and
   Factories, (Lab-I) Department,
   Secretariat, Hyderabad and three others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION No.23854 of 1995

ORAL ORDER:

This writ petition is filed under Article 226 of the Constitution of India for issuance of writ of *mandamus* declaring the action of the first respondent in sanctioning prosecution against petitioners 2 and 3 in G.O.Rt.No.2201, dated 25.09.1995 under Section 34 of the Industrial Disputes Act, 1947 (for short 'the Act') for violation of Section 25-T read with Item 12 of Schedule V of the Act alleging that the petitioners adopted unfair labour practices in recruiting new workmen in the place of striking workmen, as illegal, arbitrary and unconstitutional, and also to declare the prosecution launched by the second respondent before the third respondent – Court in S.T.C.No.263 of 1995 as illegal and untenable.

Pending the above S.T.C, there was an amicable settlement between the management of the first petitioner-company and workers union under Section 18(1) of the Act, which was duly declared as consent award by the Industrial Tribunal – II, Hyderabad. The learned Government Pleader for Labour also filed a memo to the said effect.

In view of the above settlement, the dispute of Unfair Labour Practices is also settled. Therefore, the respondent authorities are not proceeding any further to launch criminal proceedings against the petitioner-company in pursuance of the impugned Government Order.

In view of the same, no cause survives in this writ petition and the same is accordingly closed. There shall be no order as to costs.

A. Gopal Reddy, J

Date: 14.02.2007

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